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PATENT
Docket No. 265.00440101IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Boldogh et al.) Group Art Unit: 1653
Serial No.: 10/691,157) Examiner: Chih Min Kam
Confirmation No.: 6536)
Filed: October 22, 2003)
For: USE OF COLOSTRININ, CONSTITUENT PEPTIDES THEREOF, AND
ANALOGS THEREOF AS MODULATORS OF INTRACELLULAR SIGNALING
MOLECULES

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents
Mail Stop AMENDMENT
P.O. Box 1450
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29 April 2005
Date

Signature: Sara E. Olson
Name: Sara E. Olson

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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed April 8, 2005, Applicants elect, with traverse, Group I (claims 1-7), drawn to a method of modulating an intracellular signaling molecule or down regulating 4 HNE-mediated lipid peroxidation in a cell, the method comprising contacting the cell with a modulator of colostrinin, a constituent peptide thereof, an active analog thereof or a combination thereof. In the Restriction Requirement mailed April 8, 2005, the Examiner further required the Applicants to elect a single sequence from SEQ ID NO:1-34. Applicants elect, with traverse, SEQ ID NO: 8. Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications.

Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner. In particular, Applicants submit that the examination of SEQ ID NO:1-34 does not place an undue burden on the Examiner. The present application is a Continuation-In-Part of U.S. Patent Application Serial No. 10/281,652, filed October 28, 2002, which is a Divisional of U.S. Patent Application Serial No. 09/641,803, filed August 17, 2000 (issued on December 31, 2002 as U.S. Patent No. 6,500,798), which claims the benefit of U.S.

Response to Restriction Requirement

Page 2 of 2

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Provisional Application Serial No. 60/149,310, filed August 17, 1999. The claims of issued U.S. Patent No. 6,500,798 (a parent of the present application) are drawn to SEQ ID NO:1-34. Thus, Applicants respectfully submit that the U.S. Patent Office has already performed the search of SEQ ID NO:1-34 and it does not place an undue burden on the Examiner to examine SEQ ID NO:1-34 in the present application. Reconsideration and withdrawal of the restriction between SEQ ID NO:1-34 is respectfully requested.

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of April, 2005, at 1:23pm (Central Time).

Name: Sam E. Olson

Respectfully submitted for

Boldogh et al.

By

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